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13 IKEA DISTRIBUTION SERVICES, INC.

14 UNITED STATES DISTRICT COURT

15 EASTERN DISTRICT OF CALIFORNIA

16
17 BALWINDER SINGH, an individual

18 Plaintiff,

19 v.

20 IKEA DISTRIBUTION SERVICES, INC.;
and DOES 1 through 100 inclusive,

21 Defendants.
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Case No. 1:20-cv-00975-NONE-JLT

**JOINT STIPULATION TO EXTEND TIME
FOR DEFENDANT TO FILE ANSWER TO
PLAINTIFF'S FIRST AMENDED
COMPLAINT; [~~PROPOSED~~] ORDER**

(Doc. 24)

Case No. 1:20-cv-00975-NONE-JLT

JOINT STIPULATION TO EXTEND TIME FOR DEFENDANT TO FILE ANSWER TO
PLAINTIFF'S FIRST AMENDED COMPLAINT; [~~PROPOSED~~] ORDER

STIPULATION

Plaintiff Balwinder Singh (“Plaintiff”) and defendant IKEA Distribution Services, Inc. (“Defendant”) (collectively, the “Parties”), by and through their respective counsel of record submit the Joint Stipulation To Extend Time For Defendant To File Answer To Plaintiff’s First Amended Complaint, hereby stipulate and agree as follows:

WHEREAS, on May 12, 2021, Magistrate Judge Jennifer L. Thurston issued her Findings and Recommendations Granting Defendant’s Motion to Dismiss, recommending that Plaintiff be given leave to file a First Amended Complaint. (Doc. No. 20.)

WHEREAS, on June 11, 2021, Plaintiff filed his First Amended Complaint (“FAC”) amending his claim for intentional infliction of emotional distress, the Third Cause of Action in Plaintiff’s FAC. (Doc. No. 21.)

WHEREAS, on June 15, 2021, the Court issued the Order Adopting in Full the Findings and Recommendations Granting Defendant’s Motion to Dismiss (the “Order”), ordering that Plaintiff’s FAC, which was prematurely docketed on June 11, 2021, be deemed filed as of the date of entry of the Order and that Defendant’s response be due 21 days after the date of entry of the Order. (Doc. No. 22.)

WHEREAS, on June 22, 2021, Defendant notified Plaintiff that it intended to seek dismissal of the Third Cause of Action of Plaintiff’s FAC for intentional infliction of emotional distress because the FAC fails to plead sufficient facts on which relief may be granted.

WHEREAS, following the Parties’ meet and confer, on June 28, 2021, counsel for Plaintiff notified Defendant that Plaintiff agreed to dismiss the Third Cause of Action of Plaintiff’s FAC for intentional infliction of emotional distress.

WHEREAS, concurrently with this Joint Stipulation, the Parties have filed a Stipulation of Dismissal with Prejudice of Plaintiff’s Third Cause of Action for Intentional Infliction of Emotional Distress.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties as follows:

1 Plaintiff and Defendant, by and through their counsel, stipulate and agree that Defendant's
2 Answer to Plaintiff's FAC shall be due on July 27, 2021.

3 **IT IS SO STIPULATED.**

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5 DATED: June 28, 2021
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Respectfully submitted,
EMPLOYMENT LAWYERS GROUP

By: /s/ Ann Guleser (as authorized on 6/28/2021)
Karl Gerber, Esq.
Ann Guleser, Esq.

Attorneys for Plaintiff
BALWINDER SINGH

DATED: June 29, 2021
OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Minh P. Ngo
Johnnie A. James
Minh P. Ngo

Attorneys for Defendant
IKEA DISTRIBUTION SERVICES, INC.

[PROPOSED] ORDER

The Court, having considered the Parties' Joint Stipulation To Extend Time For Defendant To File Answer To Plaintiff's First Amended Complaint; [Proposed] Order, and for good cause shown, the Court hereby orders that Defendant's Answer to Plaintiff's First Amended Complaint shall be due on July 27, 2021.

IT IS SO ORDERED.

Dated: **June 29, 2021**

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE